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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,831	11/13/2001	Philippe A. Charrin	156906-0010	1050

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EXAMINER

CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,831

Applicant(s)

CHARRIN, PHILIPPE A.

Examiner

Paul Callahan

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6 and 10-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,10,11 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 12-17,21 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1, 2, 6, and 10 were pending in this application at the time of the previous Office Action. New claims 11-22 have been added via the latest amendment. Claims 1, 2, 6, 10-22 are pending and have been examined.

Response to Arguments

2. Applicant's arguments filed 3-14-2005 have been fully considered but they are not persuasive.

The Applicant argues that the addition of "cross-authentication" now distinguishes amended claim 1. Yet the added language does not distinguish from the same protocol found in Elliot at col.1 lines 12-49.

The Applicant argues that that the security module of Raven fails to prevent a transaction unless such cross authentication occurs. Yet this is exactly what the combination of the MASTERCOMM unit of Raven and the authentication protocol of Elliot teach.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1, 2, 6, 10, 11, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven et al., US 5,429,361, and Elliot US 5,036,461.

5. As for claims 1, 2, 6, 10, 18, and 20 Raven teaches a gaming device for use in a cashless gaming system (Abstract) comprising: a data device reader adapted to receive and read portable data devices (DMK Unit as taught: col. 3 lines 3-5, col. 2 lines 24-36 and 47-49, col. 10 lines 6-16) a host device processor (col. 10 lines 6-14); and a security module interposed between the data device reader and said host device processor (MASTERCOM Unit, fig. 3, item 14, col. 2 lines 47-65). Raven teaches the necessity of verifying a player via use of a PIN number (col. 10 lines 55-57) and verifying a players credit balance on a smart card (col. 10 lines 55-57, col. 11 lines 50-53) where gaming (communication between the data device reader and machine processor) is blocked if cross-authentication fails, but does not explicitly teach a cross-authentication routine conducted between the data device reader and the security module upon a portable data device being received by the data device reader. However Elliot does teach such an authentication routine (col. 1 lines 12-49). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature of Elliot into the system of Raven. It would have been desirable to do so in order to prevent the use of counterfeit smart (cash) cards not issued by the casino. Raven teaches a portable data extractor (smart card) coupled to a data device reader that stores data for individual gaming sessions in local memory where the data

portable data extractor comprises memory for storing data for individual gaming sessions (col. 11 lines 40-45).

As for claims 11 and 19, Raven teaches a host device that is an electronic gaming machine (abstract), and where the host device processor controls the electronic gaming machine (col. 10 lines 6-14).

Allowable Subject Matter

6. Claims 12-17, 21, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (703) 305-1336. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

6/25/04

